

FILED IN OPEN COURT
ON 8/6/18 SW
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:17-CR-00272-4FL

UNITED STATES OF AMERICA :
 :
 v. :
 :
 PHABIEN DARRELL MCCLAUDE :

ORDER OF FORFEITURE

WHEREAS, pursuant to the entry of a Memorandum of Plea Agreement by the defendant on May 16, 2018, and further evidence of record as presented by the Government, the Court finds that the following property is hereby forfeitable pursuant to 18 U.S.C. § 924(d)(1) and 26 U.S.C. § 5872, both made applicable to this proceeding by virtue of 28 U.S.C. § 2461(c), to wit:

- a) Harrington and Richardson, Model 732, .32 caliber revolver, bearing Serial Number AU065839;
- b) Smith & Wesson, Model .38 D/A, .38 caliber revolver, bearing Serial Number 388437, and accompanying ammunition;
and
- c) Any and all related ammunition.

AND WHEREAS, by virtue of said Memorandum of Plea Agreement, the United States is now entitled to possession of said personal property, pursuant to Fed. R. Crim. P. 32.2(b)(3);

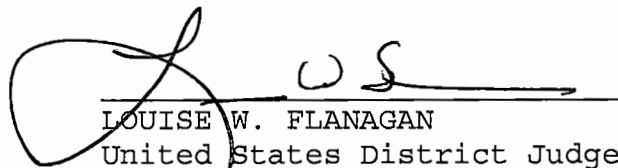
It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the agreement contained in the Memorandum of Plea Agreement as to the defendant, the United States is hereby authorized to seize the above-stated personal property, and they are hereby forfeited to the United States for disposition in accordance with the law, including destruction, as allowed by Fed. R. Crim. P. 32.2(b)(3);

2. Upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order shall be final as to the defendant immediately.

The Clerk is hereby directed to send copies of this Order to all counsel of record.

SO ORDERED. This 6th day of August, 2018.


LOUISE W. FLANAGAN
United States District Judge